THE MADRAS LEGISLATIVE ASSEMBLY.

Wednesday, 23rd November 1955.

The House met in the Assembly Chamber, Government Estate, Mount Road, at nine of the clock (THE HON. SRI N. GOPALA MENON) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Reservation of appointments for Backward Classes

* 2738 Q.—SRI K. ARANGANATHAN : Will the Hon. the Minister for Finance be pleased to state on what basis the reservation of appointments or posts has been made with reference to Article 16 (4) for Backward Classes?

THE HON. SRI C. SUBRAMANIAM : The reservation of appointments for the Backward Classes made with reference to Article 16 (4) of the Constitution is based on the population strength as well as on the educational, economic and social conditions of those classes.

SRI K. ARANGANATHAN : The Hon. the Minister for Finance was pleased to say in his reply that reservation had been made only for appointments. In the Constitution it has been stated that there should be reservation for posts also. May I know in what proportion to the population, reservation has been made for appointments in posts?

THE HON. SRI C. SUBRAMANIAM : I would like to know the subtle difference between a post and an appointment. We make an appointment to a post and that is how it happens. There is nothing like an appointment and a post. Therefore, when we make reservation for an appointment it necessarily shows that it is for a post.

SRI K. ARANGANATHAN : May I know from the Hon. Minister in what proportion to the population these appointments have been reserved?

THE HON. SRI C. SUBRAMANIAM : The hon. Member knows that 25 per cent of these are reserved for Backward Classes and 16 per cent for Schedule Castes. As far as Scheduled Castes are concerned, it is strictly on the basis of population. As far as the Backward Classes are concerned, it is a little bit less than the population ratio.

SRI V. BALAKRISHNAN : May I know whether the 25 per cent reservation of appointments for Backward Classes is implemented in its actual form in each department or in each cadre of Government Service?

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THE HON. SRI C. SUBRAMANIAM : In recruiting to the various classes of service it is being observed.

SRI K. KUNHI MOHAMED SHAFEE : May I know whether the reservation is applicable in the case of promotions to certain posts also?

THE HON. SRI C. SUBRAMANIAM : I do not think it applies to promotions.

SRI S. DAIVASIGAMONEY : May I know whether any particular post or posts are reserved as such for Backward Classes?

THE HON. SRI C. SUBRAMANIAM : No, Sir. No posts are reserved as such for Backward Classes. It is only in respect of recruitment to these posts that certain reservations are made.

SRI K. VINAYAKAM : I will try to explain the subtle difference between the words like appointment and the post. 'Appointment' is the reservation made for the people in proportion to the population. Post is a definite post like that of Deputy Collector's post in the Revenue Department or District Superintendent of Police's post in the Police Department. The Article in the Constitution definitely lays down that certain categories of posts should be definitely demarcated for Backward Classes. If the Government have not taken steps to demarcate or reserve certain number of posts for Backward Classes alone and for them only, is it not going against the spirit of the Constitution?

THE HON. SRI C. SUBRAMANIAM : I have also had a part in the framing of the Constitution. I am really glad to be enlightened by Mr. K. Vinayakam with regard to the implications of the Constitution. But this is a new light which he is throwing on the implications of the Constitution which has to be put to the Jurists.

Demonstration before the Legislative Assembly

* 2740 *Q.*—SRI A. RATNAM : Will the Hon. the Minister for Finance be pleased to state—

(*a*) how many times the Commissioner of Police promulgated orders under Section 41 of the City Police Act banning processions and demonstrations around the Legislative Assembly Buildings from January 1951 to January 1955 ;

(*b*) how many times the demonstrators tried to break the orders of the Commissioner; and

(*c*) the number of persons arrested and convicted under Section 41 of the City Police Act and Section 153, Indian Penal Code?

THE HON. SRI C. SUBRAMANIAM : (*a*) Orders under Section 41 of the City Police Act prohibiting assembly or processions in certain roads and other public places around or leading to the New Assembly buildings were promulgated on five different occasions during the period in question.